

HOUSE BILL 315

By Bowers

AN ACT to amend Tennessee Code Annotated, Title 50, relative to employment leave for victims of violence.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 1, Part 1, is amended by adding the following as a new section:

Section 50-1-106.

(a) An employer must grant reasonable and necessary leave from work with or without pay, for an employee to:

- (1) Prepare for and attend court proceedings;
- (2) Receive medical treatment; or
- (3) Obtain necessary services to remedy a crisis caused by domestic violence, sexual assault or stalking.

The leave must be needed because the employee is a victim of violence, assault, sexual assaults under Title 39, stalking or any act that would support an order for protection under Title 36, Chapter 3, Part 6. An employer may not sanction an employee or deprive an employee of pay or benefits for exercising a right grant by this section.

(b) An employer who does not grant leave has not violated subsection (a) if:

(1) The employer would sustain undue hardship from the victim's absence;

(2) The request for leave is not communicated to the employer within a reasonable time under the circumstances; or

(3) The requested leave is impractical, unreasonable or unnecessary based on the facts then made known to the employer.

(c) The department of labor and workforce development may assess civil penalties of up to two hundred dollars (\$200) for each violation of this section, if notice of the violation was given to the employer and the department within six (6) months of the occurrence.

SECTION 2. The commissioner of labor and workforce development shall report to the house consumer and employee affairs committee and the senate commerce, labor and agriculture committee by January 1, 2002 on the issue of workplace safety as it pertains to violent crime.

SECTION 3. This act shall take effect July 1, 2001, the public welfare requiring it.